

PALLONE STATEMENT AT HEALTH SUBCOMMITTEE HEARING ON FOOD AND DRUG IMPORT SAFETY ACT

September 26, 2007

"Good morning. Today the Subcommittee is meeting to review H.R. 3610, the Food and Drug Import Safety Act, legislation introduced by Chairman Dingell to strengthen our nation's import safety system, and of which I am proud to be a co-sponsor.

"While the U.S. has one of the world's safest food and drug supplies, and some of the most stringent standards for consumer protection, recent outbreaks of contaminated products and cases of food-borne illness demonstrate that we have to do better. Contaminated pet food, toothpaste, and seafood products from China have highlighted the failings of our import safety system and sparked fear and distrust among consumers. Democrats in Congress have heard consumers' concerns and we have already begun to address the issue.

"Last week, Congress passed the Food and Drug Administration Revitalization Act, which provides the FDA with the resources and authority necessary to improve our nation's drug safety system. Also included in this measure are improvements to our nation's food safety program, including new public notification requirements of outbreaks of illness due to contaminated food.

"In addition, it will establish an Adulterated Food Registry, so that incidents can be reported and the FDA can quickly alert the public. It also calls for transparency during recalls of human or pet food, and will require the FDA to post information on recalled products in an easy to use, searchable format. While this was a modest step in the right direction, clearly more can and needs to be done.

"The recent contamination incidents raise questions about our current food and drug safety laws, many of them enacted in the 1900s. Have they kept pace with new techniques in food production and processing? Are these laws still sufficient to keep us safe? Rather than reacting to outbreaks of contaminated products, we need to change our system to better prevent such incidents from happening in the first place.

"Recently a White House working group released a report on government import safety protocols. This report acknowledges the limitations of our current import safety system and calls for a paradigm shift to review not only our imports at the point of entry into the U.S., but also to regulate production abroad.

"The report tells us what we already know: that the current system isn't working. The administration recognizes its failings -- a lack of coordination among agencies, loopholes in the system that allow contaminated products to slip in -- but merely reporting on the problem is too little, too late.

"Chairman Dingell has taken the initiative and proposed a solution for increasing import safety, including requiring agencies to conduct research to develop better testing techniques, and ensuring accurate labeling on products to prevent consumer deception. And the bill would give the FDA the authority to recall adulterated products if necessary.

"Chairman Dingell's bill would also ensure that products from other countries are only permitted to enter the U.S. if they meet our strict safety standards, and puts in place regulations for ports of entry,

certification, and inspection that will enable us to enforce this standard. These new process controls would be paid for by a new imported food inspection fee.

"The bill also addresses imported drugs by allowing the FDA to assess and collect user fees on drugs imported into the U.S. These fees will help pay for inspectors, laboratory tests to detect adulterated drugs, and overseas inspections of drug shipments.

"But we know that contamination isn't limited to imported products alone. In the last few months, E. coli bacterium was discovered on lettuce and spinach from California, we had to recall peanut butter due to salmonella contamination, and botulism was found in canned green beans. All of these recent examples involved domestic products.

"These are incidents of serious concern. The Centers for Disease Control estimate that 76 million people become ill each year, and 5,000 actually die, from illnesses caused by the presence of microbial pathogens in their food. The spinach contamination alone caused 200 reported illnesses and 3 deaths last year.

"To bring this issue to the forefront, I have also introduced legislation that would strengthen process controls on domestic products by establishing strict inspection and oversight procedures to prevent contamination at food processing facilities. It would require the FDA to set standards for sanitation and limits for the level of contaminants in food. My bill would also require food processing facilities to register annually, and it would increase the number of inspections of facilities, both in our country and in the country of origin. I'm looking forward to working with Mr. Dingell and my colleagues on the Committee to address these concerns as well.

"Every year Americans spend about \$1 trillion on food, and several hundred million dollars on prescription drugs from abroad. About \$2 trillion worth of imported products entered the U.S. economy last year, and we can expect that number to grow exponentially in the next few years as the food and drug industry increasingly becomes more global. Accordingly, improving our nation's import and domestic food/drug safety systems is of great importance. American consumers should be able to trust that the products they purchase have been properly regulated and inspected, thereby making them safe.

"I would like to thank the witnesses for appearing before us today and sharing their expertise. We look forward to hearing your testimony. I now recognize my colleague from Georgia, Mr. Deal, for five minutes for his opening statement."